

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA	:	CRIMINAL NO. 4:08-CR-0139
	:	
v.	:	(Judge Conner)
	:	
BRIAN DANIEL SNYDER	:	

ORDER

AND NOW, this 3rd day of November, 2011, upon consideration of the request for court recommendation for placement in Residential Re-entry Center ("RRC") (Doc. 56), filed by defendant Brian Daniel Snyder ("Snyder"), wherein Snyder asserts that an individual assessment of the statutory criteria under 18 U.S.C. § 3621(b) for pre-release RRC placement warrants a court recommendation for RRC placement in his case, and it appearing that pursuant to 18 U.S.C. § 3621(b), "[t]he Bureau of Prisons shall designate the place of the prisoner's imprisonment," and it further appearing that a sentencing court has no authority to designate the place of confinement and may only recommend to the Bureau of Prisons ("BOP") the type of facility in which it believes the federal sentence should be served, see 18 U.S.C. § 3621(b) (stating that "[a]ny order, recommendation, or request by a sentencing court that a convicted person serve a term of imprisonment in a community corrections facility shall have no binding effect on the authority of the Bureau under this section to determine or change the place of imprisonment of that person); United States v. Serafini, 233 F.3d 758, 778 n.23 (3d Cir. 2000); United States v. Mathews, Crim. A. No. 03-72, 2010 WL 4388067, at *1 (W.D. Pa. Oct. 29, 2010), and the court finding that upon entry of judgment the

court recommended that the BOP place Snyder “in a suitable facility as close as possible to Sellingrove, PA,” (see Doc. 19, at 2), and the court concluding that there is no basis for the court to amend the judgment to recommend the BOP place Snyder in a RRC for the remainder of his sentence, see 18 U.S.C. § 3621 (giving BOP control over the place of imprisonment of federal prisoners); 18 U.S.C. § 3582 (rendering criminal judgments final with limited exceptions inapplicable in the instant matter); FED. R. CRIM. P. 35 (providing limited circumstances in which a sentence may be corrected or reduced), it is hereby ORDERED that the request for court recommendation for placement in RRC (Doc. 56) is DENIED.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge